

Kentucky Board of Medical Licensure

310 Whittington Parkway, Suite 1B

Louisville, KY 40222

Telephone: (502) 429-8046

Frequently Asked Questions Regarding Filing a Grievance

- ***“The doctor was rude to me or my family member.”*** Although no one should be rude or abrupt with anyone, there is nothing in the Medical Practice Act that permits the Board to take action based on rudeness or poor bedside manner.
- ***“My doctor’s office will not provide my medical records.”*** The 1994 Kentucky General Assembly approved legislation that stipulates that upon receipt of a written request, a health care provider shall provide, without charge to the patient, a copy of the patient’s medical record. A copying fee not to exceed \$1.00 per page may be charged for a second copy if requested by the patient, their attorney or authorized representative.
- ***“My doctor failed to have a chaperone in the room during my examination.”*** Most physicians routinely place a nurse or assistant in the examination room with them for every examination or procedure although there is no law in the Commonwealth that requires a chaperone.
- ***“I would like to make an anonymous complaint about my physician.”*** It is the policy of the Board not to accept anonymous complaints.
- ***“I want to make a complaint but I do not want the doctor to know who made the complaint because my relative will be upset with me, the doctor will no longer want to see me as a patient, etc.”*** As part of the grievance process, in order to file a formal grievance against a physician, your grievance must be signed and notarized. Upon receipt of your grievance, the Board writes to the doctor and provides a copy of your grievance to the doctor. The physician has a legal right to know who his/her accuser is.
- ***“How long does this process take once I file a grievance?”*** The Board’s staff has no way of estimating the length of time a grievance may take to be resolved. There are many factors involved, including the complexity of the case, number of people involved, etc.
- ***“My doctor has informed me that he/she will no longer see me as a patient.”*** A physician has the right, for whatever reason to refuse to continue seeing you as a patient. Most physicians will give written notice, but the law does not state that this is necessary.
- ***“My doctor will no longer prescribe a drug or write a prescription for a drug that I need.”*** The Board does not have the authority to require a physician to prescribe or continue prescribing a drug if they do not choose to do so.

- ***“I have knowledge of a person who is practicing medicine but is not a licensed physician.”*** Businesses and individuals practicing a regulated activity without the required license may be guilty of a criminal violation of the law. The KBML has no jurisdiction in these unlicensed activity cases; said cases should be reported to the appropriate prosecutor in your community, if possible.
- ***“I believe the amount billed to me or my insurance company is excessive.”*** Fee disputes ordinarily are not a basis for discipline by the Board because they usually do not involve questions of ethics or professional conduct. In some cases they are, however, and in these instances' actions will be taken. Most fee disputes are the result of a lack of understanding by the patient of the basis for the charges for physician services. The physician may be at fault due to his/her failure to make the patient aware of exactly what professional services are being provided and the cost of the services. Patients should not be reluctant or embarrassed to discuss fees with their physician subsequent to services being rendered. When the parties are unable to reach an understanding and there is controversy over the fee, the matter, like any other dispute over a value of goods or services, may be resolved through court action. There are also intermediary services available through local medical societies. If disputed fees are Medicare or Medicaid related these respective agencies should be contacted for assistance.